

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA § No. 6:20-CR-38  
v. § JCB/KNM  
CHRIS ALAN IRBY §

## **ELEMENTS OF THE OFFENSE**

You are charged in **Count 1** of the indictment with a violation of 21 U.S.C. § 841(a)(1) (possession with intent to distribute methamphetamine). The essential elements which must be proven to establish violation of this offense are as follows:

## Count 1

21 U.S.C. § 841(a)(1)

**First:** That you knowingly possessed a controlled substance;

**Second:** That the substance was in fact methamphetamine, a Schedule II controlled substance;

**Third:** That you possessed the substance with the intent to distribute it; and

**Fourth:** The controlled substance was at least the amount alleged in the indictment.

NICHOLAS J. GANJEI  
ACTING U.S. ATTORNEY

*/s/ D. Ryan Locker* \_\_\_\_\_  
D. RYAN LOCKER  
Assistant U.S. Attorney  
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**CERTIFICATE OF CONFERENCE**

I certify that I have consulted with counsel for the defendant on or about the date of filing, and said counsel does not oppose the filing of this notice.

*D. Ryan Locker* \_\_\_\_\_  
D. RYAN LOCKER  
Assistant U.S. Attorney

**CERTIFICATE OF SERVICE**

I certify that I have this day served counsel for the defendant with a true and correct copy of this pleading by the court's CM/ECF electronic filing system.

*D. Ryan Locker* \_\_\_\_\_  
D. RYAN LOCKER  
Assistant U.S. Attorney